Motion of petitioner for leave to proceed further herein *in forma pauperis* and Petition for Rehearing

No. 06-1313

O.T. 2006

RICHARD ADAM, Petitioner

versus

HAWAII

MOVANT:

DISPOSITION: JUL 30 2007 DENIED Summer Rehearing List #1 **DATE:**

DATE	MEMORANDUM
06.29.07	filed.

No. 06-1313

Supreme Court, U.S.
FILED
JUN 29 2007
OFFICE OF THE CLERK

IN THE

SUPREME COURT OF THE UNITED STATES

Richard Adam — PETITIONER
(Your Name)

vs.

State of Hawaii — RESPONDENT(S)

ON PETITION FOR A ~~WRIT~~ Re Hearing OF CERTIORARI TO

The Hawaii Supreme Court
(NAME OF COURT THAT LAST RULED ON MERITS OF YOUR CASE)

PETITION FOR WRIT OF CERTIORARI

Richard Adam
(Your Name)

1944 Littleton Road
(Address)

Monroe N.H. 03771
(City, State, Zip Code)

603-991-5349
(Phone Number)

I Richard Adam is asking THis Court For a ReHearing For writ of Certiorari in THis matter 06-1313 THat was denied on June 4, 2007, due to intervening circumstances of a Substantial and Controlling effect of Character Traits.

1. Please Find attached our daughters Report Card and Letter From Her Teacher, attached. THis matter at Hand Happened in Hawaii nine years ago. THe gang THat was targetting us and attacking us were all Felons and dangerous Violent Felons at THat. My wife and I did not Have a criminal past or Record.

This gang were dealing in crystal meTH and other drugs. We did not fit in and They did not want us There. The dangerousness and lengTHy violent criminals records of These people were kept from The Jury. But raTher They were fraudulently presented to The Jury as THough THey had Just Served Communion at CHurcH. on The other Hand The State fraudulently made me Look Like The bad guy. and a controlling Fact to THis case is THis is an Island and most of These people are related. Its not uncommon for Them to Have 400 to 500 relatives.

2. other Time a persons CHaracter TraiTs Can be measured from The product of His accomplisHments. in These past

nine years. John Wentworth, Jason Aki, Delfredo Llanes, DJ. Llanes, Robert Gaudeia, Dwane Gaudeia, Arthur Kahale and His Brothers, Denis Santos, Raymond Kuahuia SR and JR. Shirley Casuga and Family; Have committed more violent crimes and drug related crimes, more crimes of deceat. These people mentioned here are of the lowest form of Humans on earth. But yet there character was kept from the Jury. all of these people harrossed us and threatened us and some of them murdered my wife and Jason Aki and John Wentworth were seen By 3 white witnessed burn our House down to the ground in Broad daylight

3. Please look at attached Report card and Letter from teacher. our Daughter was 22 months old on July 1, 1998 and, in my arms when we were attacked By John Wentworth and Jason Aki By a deadly weapon, on our private property in a Posted private Sub division.

Please take another look at attached report Card and letter from teacher. This is the product of my true Character Traits. Therefore the fraudulent Labeling me as a Felon does not Fit or meSh. and THIS injustic Festers in my mind and I would like some Closure To it.

4. In a related Case # G 99-003K which is now before the Hawaii Supreme

Court on appeal. In 2006 "mariah" and our daughter and I went to the Circuit Court in Hilo Hawaii which was Suppose to be an evidentiary Hearing To address all the money Judge Nakumora and His attorney Friends Stole or embezzled From our Daughter "mariah." It was all arranged and Judge Nakumora's Partners in Crime did not appear for the Hearing. After the Hearing the First Thing mariah Said to me is "He is with them" meaning Judge Nakumora is with the attorney's that Stole Her money and Final Fial Future.

What does the Future Hold in this Country. When a nine year old child Can See the Corruption of a Judge and Court. Doesn't this Bring the

integrity of public Trust of a Court down? And by Letting This Type of injustic go on, what does The Future Hold?

Therefore based on The Forgoing I am asking This Court for a re-Hearing To Clear my good name of This injustic brought against me by The State of Hawaii.

Sincerely Submitted
Richard Adam

Dated - Monroe, N.H June 29, 2007

MONROE CONSOLIDATED SCHOOL REPORT CARD

STUDENT: MARIAH ADAM SCHOOL YEAR: 2006 - 2007 GRADE: 5

TEACHERS: Mrs. Ward

PERFORMANCE KEY: Each subject contains three columns for each trimester. The first of these columns is the **numerical grade** the student receives based on **ACADEMIC PERFORMANCE**. The second column rates performance of the student's **EFFORT** in that subject, and is based on participation, maintenance of assignment book, homework completed on time, arriving at class prepared, following directions, proofreading/checking work, and working independently. The third column rates the student's **CONDUCT** in that subject, and is based on the student's ability to cooperate with others, show respect to peers and staff, and exhibit proper school behavior. Both effort and conduct receive a numerical evaluation of 1 to 4. In addition, some subjects are broken down into components which receive numerical performance ratings as well.

LETTER GRADES
A 93-100 D 70-76
B 85-92 U 69 or lower
C 77-84

PERFORMANCE RATING
4 commendable 1 unsatisfactory
3 satisfactory N/A not applicable
2 needs improvement

Trimester	1			2			3		
	Gr	Ef	Cd	Gr	Ef	Cd	Gr	Ef	Cd
LANG. ARTS									
READING	91	3	4	88	3	3	91	3	3
Reads for meaning	3			3			3		
Reads regularly outside of class	4			4			4		
Writes effectively in response to literature	3			3			3		
MATHEMATICS	89	3	4	92	3	2	91	3	3
Concepts	4			4			4		
Computation	3			4			4		
Problem Solving	3			3			3		
SCIENCE	90	3	4	95	3	3	90	3	3
Understands new concepts	4			4			4		
Organizes and uses information	4			4			4		
Skills	4			4			4		
MUSIC									
General Music									
Band									
Performance Skills									
Homework (Practicing)									
ATTENDANCE									
Days present	64			50			66		
Days absent	0			0			0		
Times tardy	0			0			1		

Trimester	1			2			3		
	Gr	Ef	Cd	Gr	Ef	Cd	Gr	Ef	Cd
WRITING	88	3	4	86	3	4	89	3	4
Writes with a clear purpose	3			3			3		
Demonstrates effective use of language	3			3			3		
Edits for spelling, grammar, mechanics	3			3			3		
SOCIAL STUDIES	90	3	4	91	3	3	93	3	3
Understands new concepts	4			4			4		
Synthesizes and uses information	4			4			4		
ART	3	4	3	3	4	3	3	4	3
Skills	3			4			4		
Concepts	3			3			3		
PHYSICAL EDUCATION	4	4	4	4	4	4	4	4	4
Concepts									
FAMILY/CONSUMER SCIENCE	—			93	4	4	98	4	4
Concepts				—					
KEYBOARDING	—								
SHOP	—								

PARENTS:
Please sign and return the report card envelope to school with any comments, questions, or remarks you may have.

PROMOTED TO GRADE 6 **DATE:** 06/15/07

SUPERINTENDENT/PRINCIPAL: Karen W. Stewart

BEST AVAILABLE COPY

Mariah Adam
End of Year Narrative
June 15, 2007

I am thoroughly enjoying being Mariah's teacher and feel fortunate to have another year with her. She is an absolutely delightful, well-adjusted, happy little girl. In addition, she is bright, curious, involved, and cherished by her friends.

I am confident that Mariah will smoothly transition to the role of sixth grader in a classroom with fifth and sixth graders. She will be up to the increased challenges and will likely be a very good role model for the younger students. Mariah has worked on dealing with her frustrations better, and has made attempts at being neater and more organized with her work. We will continue to work on these areas next year.

I thank you for all of your support this year. I hope you and Mariah have a fun, restful, and productive ([redacted]) summer.

Jeanne Ward

Jeanne Ward

Certificate of Counsel

This motion for Re Hearing is Restricted To the grounds in Supreme Court Rule 44.(1),(2) and is presented in good Faith and is definitely not for delay because I Have already Served the Fraudulent Sentence imposed upon me. This motion is For Justice and Closure To an injustice

Sincerely presented

Richard Adam

Dated: June 29, 2007

(6B)

original

9a

No. 06-1313

IN THE

SUPREME COURT OF THE UNITED STATES

Richard Adam — PETITIONER
(Your Name)

VS.

State of Hawaii — RESPONDENT(S)

MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

The petitioner asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed *in forma pauperis.*

[✓] Petitioner has previously been granted leave to proceed *in forma pauperis* in the following court(s):

Federal District Court in Hawaii

[ ] Petitioner has **not** previously been granted leave to proceed *in forma pauperis* in any other court.

Petitioner's affidavit or declaration in support of this motion is attached hereto.

Richard Adam
(Signature)

RECEIVED
JUL 3 - 2007
OFFICE OF THE CLERK
SUPREME COURT, U.S.

AFFIDAVIT OR DECLARATION
IN SUPPORT OF MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS*

I, Richard Adam am the petitioner in the above-entitled case. In support of my motion to proceed *in forma pauperis*, I state that because of my poverty I am unable to pay the costs of this case or to give security therefor; and I believe I am entitled to redress.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	$ [redacted] 0	$ Declined	$ [redacted] 0	$ 0
Self-employment	$ 0	$ 0	$ 0	$ 0
Income from real property (such as rental income)	$ 0	$ 0	$ 0	$ 0
Interest and dividends	$ 0	$ 0	$ 0	$ 0
Gifts	$ 0	$ 0	$ 0	$ 0
Alimony	$ 0	$ 0	$ 0	$ 0
Child Support	$ 0	$ 0	$ 0	$ 0
Retirement (such as social security, pensions, annuities, insurance)	$ 925.00	$ 0	$ 925.	$ 0
Disability (such as social security, insurance payments)	$ 0	$ 0	$ 0	$ 0
Unemployment payments	$ 0	$ 0	$ 0	$ 0
Public-assistance (such as welfare)	$ 0	$ 0	$ 0	$ 0
Other (specify): _____	$ 0	$ 0	$ 0	$ 0
Total monthly income:	$ 925.	$ 0	$ 925.00	$ 0

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
HPIA	$ 125,000.00	$ 0
DSland insurance	$ This case is under appeal	
before The 9th Circuit Docket nos 06-15779		

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
Mariah Adam	Daughter	10

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (include lot rented for mobile home)	$ 100.00	$ 0
Are real estate taxes included? ☑ Yes ☐ No		
Is property insurance included? ☐ Yes ☐ No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	$ 75.00	$ 0
Home maintenance (repairs and upkeep)	$ 0	$ 0
Food	$ 450.00	$ 0
Clothing	$ 50.00	$ 0
Laundry and dry-cleaning	$ 20.00	$ 0
Medical and dental expenses	$ 0	$ 0

2. List your employment history for the past two years, most recent first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
0			$
			$
			$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of Employment	Gross monthly pay
0 Deceased			$
			$
			$

4. How much cash do you and your spouse have? $ 1,371.64
Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
Citizens Bank	Checking	$ 1,371.64	$
		$	$
		$	$

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

☐ Home
Value 0

☐ Other real estate
Value 0

☐ Motor Vehicle #1
Year, make & model 1994 Geo. Prism
Value $200.00
170,000 miles

☐ Motor Vehicle #2
Year, make & model 1997 Toyota 4 Runner
Value $1500.00
Salvage Title Wrecked Vehicle

☐ Other assets
Description 0
Value

	You	Your spouse
Transportation (not including motor vehicle payments)	$ 200.00	$ 0
Recreation, entertainment, newspapers, magazines, etc.	$ 0	$ 0
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's	$ 0	$ 0
Life	$ 0	$ 0
Health	$ 0	$ 0
Motor Vehicle	$ 0	$ 0
Other: _____	$ 0	$ 0
Taxes (not deducted from wages or included in mortgage payments)		
(specify): _____	$ 0	$ 0
Installment payments		
Motor Vehicle	$ 0	$ 0
Credit card(s)	$ 0	$ 0
Department store(s)	$ 0	$ 0
Other: _____	$ 0	$ 0
Alimony, maintenance, and support paid to others	$ 0	$ 0
Regular expenses for operation of business, profession, or farm (attach detailed statement)	$ 0	$ 0
Other (specify): _____	$ 0	$ 0
Total monthly expenses:	$ 895.00	$ 0

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

☑ Yes ☑ No If yes, describe on an attached sheet. That all depends on the 9th circuit of appeals ruling in Case no: 06-15779

10. Have you paid – or will you be paying – an attorney any money for services in connection with this case, including the completion of this form? ☐ Yes ☑ No

If yes, how much? _____

If yes, state the attorney's name, address, and telephone number:

11. Have you paid—or will you be paying—anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

☐ Yes ☑ No

If yes, how much? _____

If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of this case.

I am living on $925.00 a month raising our ten year old daughter by myself

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 29 2007, 20__

Richard Adam
(Signature)

No. 06-1313



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IN THE

SUPREME COURT OF THE UNITED STATES

Richard Adam — PETITIONER
(Your Name)

VS.

State of Hawaii — RESPONDENT(S)

PROOF OF SERVICE

I, Richard Adam, do swear or declare that on this date, June 29, 2007, as required by Supreme Court Rule 29 I have served the enclosed MOTION FOR LEAVE TO PROCEED *IN FORMA PAUPERIS* and PETITION FOR A WRIT OF CERTIORARI on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

Delivery Confirmation No 0303-2460-0002-2092-7558
Priority Mail

The names and addresses of those served are as follows:

State of Hawaii
Deputy prosecutor Dale Ross
Prosecutors office
81-980 HaLekii street, KeaLaKeKua, Hi 96750

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 29, 2007

Richard Adam
(Signature)